

RESOLUTION TO ADOPT, PROMULGATE AND ENFORCE WATER QUALITY STANDARDS

PUBLIC LAW 92-500 FEDERAL WATER POLLUTION CONTROL AMENDMENTS OF 1972

By the

Secretary of State for the State of California

I, the honorable Secretary of State for the State of California, Alex Padilla, having address at: 1500 11th Street, Sacramento California, 95814, in accordance with the mandatory requirements of the Constitution for The United States of America, 1787, as contemplated in the Preamble of the Constitution, “to promote the general welfare” of the people of The United States of America, and further pursuant to the Law of the Land as authorized pursuant to Article VI of said Constitution for The United States of America, and further the Congressional Mandate as ratified by the 92nd United States Congress Assembled, October 18, 1972, Public Law 92-500 FEDERAL WATER POLLUTION CONTROL AMENDMENTS OF 1972, 86 Stat., 816, October 18, 1972, codified as United States Code under International Admiralty Maritime Law, Title 33. NAVIGATION AND NAVIGABLE WATERS, Chapter 26. WATER POLLUTION PREVENTION AND CONTROL, Section 1251. Congressional declaration of goals and policy, and further as authorized pursuant to Title 42, Chapter 103, Subchapter I § 9605. National Contingency Plan, and pursuant to my duty to humanity and in the interest of the public health and welfare of the American people, do hereby jointly execute this resolution to adopt, promulgate and enforce the most strict water quality standards as mandated and for the emergency preservation of our multi-media resources such as, but not limited to, State’s waters, water quality and aquatic life and for the mitigation of unlawful human origin toxic pollutant discharges (“Water Quality Standards”).

WITNESSETH:

WHEREAS the Supreme Authorities of The United States of America, pursuant to the herein defined authority granted them do hereby adopt and commit to promulgate and enforce the herein defined Water Quality Standards pursuant to the United States Code Title 33 Chapter 26 (“Chapter”) pursuant to the United States Code Title 33 Chapter 26 § 1251(d) that states:

§ 1251(d). Administrator of the United States Environmental Protection Agency to Administer Chapter

Except as otherwise expressly provided in the Chapter, the Administrator of the Environmental Protection Agency (hereinafter in the Chapter called “Administrator”) shall administer the Chapter; and,

WHEREAS the Supreme Authorities of The United States of America, pursuant to the herein defined authority granted them do hereby commit to promulgate to all States that they shall, as expediently as practical but in no case later than May 1, 2010, adopt and enforce the herein defined Water Quality Standards pursuant to their authority under United States Code Title 33 Chapter 26 § 1370 that states:

§ 1370. State authority

Except as expressly provided in this chapter, nothing in this chapter shall

- (1) preclude or deny the right of any State or political subdivision thereof or interstate agency to adopt or enforce (A) any standard or limitation respecting discharges of pollutants, or (B) any requirement respecting control or abatement of pollution; except that if an effluent limitation, or other limitation, effluent standard, prohibition, pretreatment standard, or standard of performance is in effect under this chapter, such State or political subdivision or interstate agency may not adopt or enforce any effluent limitation, or other limitation, effluent standard, prohibition, pretreatment standard, or standard of performance which is less stringent than the effluent limitation, or other limitation, effluent standard, prohibition, pretreatment standard, or standard of performance under this chapter; or*
- (2) be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States; and,*

WHEREAS the Supreme Authorities of The United States of America, effective July 1, 1973 under United States Code Title 33 Chapter 26 § 1365(f), acknowledges and declares that he has a nondiscretionary strict liability and duty of care under such authority and right to adopt and enforce the most strict effluent standard or effluent limitation respecting discharges of multi-media pollutants and to adopt and enforce any requirement respecting control and abatement of all at-source pollution throughout California's jurisdiction; and,

WHEREAS the Governing Authorities of The United States of America, declares it an unlawful act as defined under subsection (a) of United States Code Title 33 Chapter 26 § 1370 for "any State or political subdivision thereof or interstate agency" to not adopt and enforce "any standard or limitation respecting discharges of pollutants; and,

WHEREAS the Governing Authorities of The United States of America, declares it an unlawful act for any State or political subdivision thereon or interstate agency to not adopt and enforce the most strict effluent limitation or other limitation under United States Code Title 33 Chapter 26 §§ 1311 and 1312; and,

WHEREAS the Governing Authorities of The United States of America, acknowledges it an unlawful act for any State or political subdivision thereon or interstate agency to not adopt and enforce the most strict standard of performance under United States Code Title 33 Chapter 26 § 1316; and,

RESOLUTION TO ADOPT, PROMULGATE AND ENFORCE WATER QUALITY STANDARDS

WHEREAS the Governing Authorities of The United States of America, acknowledges it an unlawful act for any State or political subdivision thereon or interstate agency to not adopt and enforce the most strict prohibition, effluent standard or pretreatment standard under United States Code Title 33 Chapter 26 § 1317; and,

WHEREAS the Governing Authorities of The United States of America, acknowledges it an unlawful act for any State or political subdivision thereon or interstate agency to not adopt and enforce a permit or condition thereof issued under United States Code Title 33 Chapter 26 § 1342; and,

WHEREAS the Governing Authorities of The United States of America, acknowledges it an unlawful act for any State or political subdivision thereon or interstate agency to not adopt and enforce a regulation under United States Code Title 33 Chapter 26 § 1345; and,

WHEREAS the Governing Authorities of The United States of America, hereby recognizes The National Clean Water Standards of Performance, Effluent Limitation Guidelines, Categorical Pretreatment Standards & National Standards Regulations in effect under United States Code Title 42 Chapter 55 – National Environmental Policy Act, the United States Code Title 33 Chapter 26 – Water Pollution Prevention and Control and United States Code Title 42 – The Public Health and Welfare, Chapter 133 – Pollution Prevention, as such most strict Water Quality Standards, i.e. Clean Water Standards, providing the greatest degree of effluent limitation and other limitation, effluent standard, prohibition, pretreatment standard and standard of performance respecting discharges of multi-media human origin at-source pollutants in the interest of public health and welfare, the preservation of State’s waters, water quality and aquatic life and for the mitigation of human origin toxic pollutant discharges into such State’s waters and man-made, man-induced origin Greenhouse Gas emissions.

NOW, THEREFORE, the Governing Authorities of The United States of America, State or political subdivision thereon or interstate agency in accordance with authority vested in them by the people of The United States of America, the Republic, the Constitution for the United States, International Admiralty Maritime Law as defined under the United States Codes and in compliance with the requirements under God’s Word, Nature’s Law, Natural Law, International Law, Federal Common Law, State and Federal laws, and in the interest of public health, their welfare and international security of our unalienable guaranteed Liberty, the peoples’ Right to clean water, clean food, clean air, clean government, and clean earth, and as the caretaker of such resources and the aquatic life, the below defined Governing Authorities of The United States of America hereby declare their adoption, and their commitment to enforcement of The National Clean Water Standards of Performance, Effluent Limitation Guidelines, Categorical Pretreatment Standards & National Standards Regulations, a water quality standard more strict than the United States Environmental Protection Agency’s National Drinking Water Standards and Regulations, effective immediately.

RESOLUTION TO ADOPT, PROMULGATE AND ENFORCE WATER QUALITY STANDARDS

IT IS HEREBY ORDERED by the Governing Authorities of The United States of America, pursuant to this resolution, that all authorities within the jurisdiction of every State and political subdivision and interstate agency thereon, to include at a minimum the enforcement and judicial branches, public health agencies, environmental protection and permitting agencies, to include all building and planning, and public works departments of said State and political subdivision and interstate agency, shall take the following emergency action pursuant to strict mandatory requirements as defined under United States Code Title 33 Chapter 26 § 1254, to require and assist implementation of The National Clean Water Standards of Performance, Effluent Limitation Guidelines, Categorical Pretreatment Standards & National Standards Regulations, the new Water Quality Standards established pursuant to the United States Congressional Declaration of Purpose defined under United States Code Title 33 Chapter 26 § 1281, as follows:

1. Every State and political subdivision and interstate agency, as authorized under United States Code Title 33 Chapter 26 § 1319(a) State enforcement; compliance orders, and pursuant to requirements under United States Code Title 33 Chapter 26 § 1313, shall immediately promulgate, as full faith and credit, their adoption and commitment to the enforcement of the new Water Quality Standard by 1) all State Governors, 2) all Secretaries of State, 3) all State water pollution control agencies and 4) all States and interstate agencies of States bordering drinking water resources.
2. Every State and political subdivision and interstate agency, as expediently as practicable, shall enter into contracts with private agencies, institutions, organizations or individuals qualified to implement the new Water Quality Standard.
3. Every State and political subdivision and interstate agency shall immediately notify all septic tank manufactures within their jurisdiction to cease manufacturing of septic tanks and to begin producing tankage suitable for implementation of the best available demonstrated control technology that shall be specified by the brand name RECLAMATOR™, or equal, to meet and produce the new Water Quality Standards required at all sources of man-made, man-induced pollution as mandated by law.

IT IS FURTHER DIRECTED by the Governing Authorities of The United States of America and every State and political subdivision and interstate agency thereof, as expedient as practicable, that widespread publicity and notice be given to this Resolution to all States and political subdivisions of The United States of America for their immediate adoption and commitment to enforcement of the new Water Quality Standards under authority vested in them under the United States Code Title 33 Chapter 26 § 1370 – State Authority; or, be construed as impairing or in any manner affecting any right or jurisdiction of the States with respect to the waters (including boundary waters) of such States; and

The Environmental Court was established by Act of the United States Congress, Sec. 9, Public Law 92-500 FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972, and as such court established by Act of Congress, “may issue all writs necessary or appropriate in aid of their

RESOLUTION TO ADOPT, PROMULGATE AND ENFORCE WATER QUALITY STANDARDS

respective jurisdictions and agreeable to the usages and principles of law” as confirmed by The Judiciary Act of 1789, as amended and codified under United States Code Title 28 § 1651(a). The Environmental Court was commissioned by the Sovereign Body Politic of the people of The United States of America on July 11, 2013. The international Environmental Court is a high court having original and final jurisdiction in all environmental matters as established by Act of Congress, Sec. 7.

Sec. 2., section 505(a) CITIZEN SUITS, assures that persons who adopt and enforce this resolution in support of environmental justice to “promote the general welfare” of the people, shall be extended a conditional immunity from retaliation under the peoples’ Bill of Rights Amendment, Article XI.

IN WITNESS WHEREOF the Secretary of State for the State of California does hereunto set his hand and signature this _____ day of _____, 20 ____.